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Linda McCulloch  
Superintendent

DATE: May 16, 2002

TO: School Food Authority Administrators

FROM: Christine Emerson, Director  
School Nutrition Programs

SUBJECT: Updated Guidance for Homeless Children in the School Nutrition Programs

The U.S. Department of Agriculture (USDA) recently sent a memo emphasizing the need to expedite the benefits of the child nutrition programs to homeless children and outlining the provisions of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

In January 2002, the McKinney-Vento Homeless Assistance Act was amended to clarify the definition of homeless children and youths. The act requires that each school district designate a local educational agency liaison for homeless children and youths. Many school districts have already designated a liaison. Those that have not may appoint an individual to act as the liaison until one is designated.

**Definition of homeless**

The statute defines homeless as individuals who lack a fixed, regular, and adequate nighttime residence. The definition includes:

- (1) Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- (2) Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- (3) Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (4) Migratory children who qualify as homeless because the children are living in circumstances described above.

**Cooperation with local educational agency liaison**

Some of the duties of the local educational agency liaison are to ensure that homeless children are identified by school personnel, that they have full opportunity to enroll and succeed in school, and that they receive educational and other services for which they are eligible. The U.S. Department of Agriculture asks that state agencies and school food authorities be particularly sensitive to children and households who are identified by the local educational agency liaison as homeless.

**Documentation of free meal eligibility for homeless children**

School officials need to work closely with the educational liaison and directors of homeless shelters to ensure that children are provided free meal benefits as promptly as possible. Documentation to substantiate free meal eligibility must consist of the child's name or a list of names, effective date(s), and

the signature of the local educational liaison or the director of the homeless shelter. This documentation is acceptable in lieu of a free and reduced price meal application. School officials also need to be promptly advised when children leave the school or are no longer considered homeless. If no longer homeless, the school food authority must provide the household with an application for free and reduced price meals.

**Homeless children residing with another household**

A child or family may temporarily reside with another household and still be considered homeless. In these cases the household size and income of the host family is not taken into consideration when determining the free meal eligibility for the child(ren) designated as homeless by the local educational agency liaison. Additionally, when a host family applies for free and reduced price meals for their own children, the host family may include the homeless family as household members if the host family provides financial support to the homeless family, such as shelter, utilities, clothing, or food. In such cases, the host family must also include any income received by the homeless family. School officials must determine eligibility for the host family in the traditional manner. However, free meal eligibility for the homeless child is based on the documentation provided by the local education liaison, even when the child is included on the host family's free and reduced price meal application. If the host family meets the free or reduced price meal eligibility criteria, school officials should provide the host family with temporary approval for free or reduced price meal benefits, as appropriate. The host family's eligibility should be reevaluated when their household size decreases, i.e., the homeless family leaves.

Once again, school officials are encouraged to work with the educational agency liaison and directors of homeless shelters to ensure benefits are provided promptly to homeless children. If you have any questions please call Holly Humphrey, School Nutrition Programs Specialist at (406) 444-4413 or Christine Emerson, Director of School Nutrition Programs at (406) 444-2502.